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# Message Text

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45
ACTION IO-14

INFO OCT-01 ARA-16 ISO-00 OIC-04 SS-15 ACDA-19 CIAE-00

INR-10 L-03 NSAE-00 NSC-10 RSC-01 SCI-06 SCEM-02

AF-10 EA-11 EUR-25 NEA-10 PM-07 DODE-00 DRC-01 PA-03

PRS-01 USIA-15 SAJ-01 MBFR-04 /189 W
---------- 079616
R 271500Z SEP 73
FM USMISSION IAEA VIENNA
TO SECSTATE WASHDC 3453
INFO AEC GERMANTOWN
AMEMBASSY PANAMA

UNCLAS SECTION 1 OF 2 IAEA VIENNA 7995

E. O. 11652: N/A
TAGS: AORG PFOR IAEA
SUBJECT: IAEA BOARD OF GOVERNORS - SEPT. 25, 1973

REF STATE 181319

1. SUMMARY: POST-GENERAL CONFERENCE BOARD SESSION COMPLETED USUAL PROCEDURAL ITEMS, BUT BOGGED DOWN IN EXTENDED DEBATE AND CONSULTATIONS OVER HANDLING OF TWO SAFEGUARDS AGREEMENTS. AMB. FUJIYAMA OF JAPAN UNANIMOUSLY ELECTED CHAIRMAN FOR 1973-73. SAFEGUARDS AGREEMENT WITH BOLIVIA WAS APPROVED, AND THOSE WITH NICARAGUA AND HAITI APPROVED PROVISIONALLY, SUBJECT TO CIRCULATION OF FULL TEXTS AND FOUR-WEEK WAITING PERIOD. SAFEGUARDS AGREEMENT WITH PANAMA PURSUANT TLATELOLCO TREATY POSTPONED TO FEB BG. END SUMMARY.

2. ELECTION OFFICERS: ELECTIONS TURNED OUT AS AGREED IN PRIOR CONSULTATIONS. AMB. FUJIYAMA OF JAPAN ELECTED CHAIRMAN (32-0-1) AND GOVERNORS KOCH OF DENMARK (32) AND NEUMANN OF CZECHOSLOVAKIA (29, WHO WERE CHAIRMAN'S PREFERENCES, ELECTED VICE-CHAIRMEN (THERE WERE FOUR ABSENTIONS AND ONE VOTE WAS CAST FOR GOVERNOR LOOSCH OF FRG). USUAL CONGRATULATORY STATEMENTS TO OUTGOING
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AND INCOMING CHAIRMEN FOLLOWED.

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3. AGENDA: PROVISIONAL AGENDA CONTAINED GOV/1637 APPROVED.

4. AGENDA ITEM 1 - EXAMINATION OF CREDENTIALS : DG
REPORTED 18 GOVERNORS (INCLUDING US) HAD CREDENTIALS IN ORDER
ACCORDING RULE 3 OF BOARD RULES, 3 HAD INTERIM CREDENTIALS,
AND CREDENTIALS FOR REMAINING 13 NOT YET RECEIVED. FYE: SECRETARIAT
INFORMS US THAT CHILE IS ONE OF LATTER, AND THIERS WAS ONLY
EMPTY SEAT AT MEETING. NO GOVERNOR COMMENTED ON THIS FACT. END FYI.

5. AGENDA ITEM 2 - APPOINTMENTS TO COMMITTEES: FOLLOWING PAST
PRACTICE, BOARD CONSENSUS LEFT CHAIRMAN TO DETERMINE COMPOSITION
OF TECHNICAL ASSISTANCE AND ADMINISTRATIVE AND BUDGETARY COMMITTEES
AFTER FURTHER CONSULTATIONS WITH GOVERNORS. US WILL BE REPRESENTED
ON BOTH COMMITTEES, AS USUAL.

6. AGENDA ITEM 3 - SAFEGUARDS: PER IAEA VIENNA 7862, ITEM ON
STAFF OF INSPECTORATE WAS WITHDRAWN PRIOR TO MEETING. BOARD
WAS REQUESTED TO APPROVE FOUR AGREEMENTS NEGOTIATED WITH OPANAL
REP, WHO ATTENDED GC AND ACTED ON BEHALF OF AND WITH FULL POWERS
FROM BOLIVIA, PANAMA, HAITI AND NICARAGUA. PANAMA IS NON-PARTY
TO NPT, BUT ITS AGREEMENT (GOV/1634) UNDER TLATELOLCO TREATY FOLLOWED
INFCIRC/153.

7. MISSION HAD HASTILY REVIEWED TEXT OF PANAMA AGREEMENT (RECEIVED
MORNING OF BG NEETING), BEARING IN MIND THAT OBLIGATIONS UNDER
NPT AND TLATELOLCO TREATY DIFFER AND THIS WAS FIRST CASE SINCE
1968 MEXICAN AGREEMENT IN WHICH BG WAS BEING REQUESTED CONSIDER
SAFEGUARDS AGREEMENT PURSUANT ONLY TLATELOLCO TREATY. IN THREE
PREVIOUS CASES WHERE SAFEGUARDS AGREEMENT WAS DEEMED TO
SATISFY BOTH NPT AND TLATELOLCO, E.G., URUGUAY, COST RICA AND
1972 MEXICAN AGREEMENT, WE FELT WE COULD LIVE WITH DIVERGENCE
IN OBLIGATIONS, E.G., PEACEFUL USES UNDERTAKING, BUT WE WERE
UNCERTAIN ABOUT PANAMANIAN CASE IN ABSENCE FURTHER STUDY.
MOREOVER, AUSTRALIAN DEL IN PRE-BG CONSULTATIONS RAISED MUCH
MORE SERIOUS QUESTION RE APPARENT LACK OF REQUIREMENT FOR CONTINUED
AGENCY SAFEGUARDS ON INTERNATIONAL TRANSFERS FROM PANAMA,
WHICH, IF ACCURATE, WOULD CONSTITUTE UNACCEPTABLE LOOPHOLE.
NET RESULT WAS THAT WE AND SEVERAL OTHER FELT IT NECESSARY
TO HAVE MORE TIME TO STUDY TEXT, AND FOLLOWING INFORMAL DISCUSSIONS
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WITH SECRETARIAT, LATTER DECIDED TO WITHDRAW PANAMANIAN AGREEMENT
AND POSTPONE ACTION TO FEB BG. (MISSION EXPECTS TO FOLLOW-UP
ON THIS MATTER AND REPORT SUBSEQUENTLY.)

8. CONSIDERATION OF REMAINING THREE AGREEMENTS, ALL DESIGNED
SATISFY BOTH NPT AND TLATELOLCO TREATY, WAS COMPLICATED
BY FACT THAT TIME HAD NOT PERMITTED DISTRIBUTION OF FULL TEXTS
OF AGREEMENTS WITH HAITI (GOV/1635) AND NICARAGUA (GOV/1636),

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SO COVERING MEMOS WERE CIRCULATED REFERRING TO FACT THAT AGREEMENTS
WERE SUBSTANTIVELY IDENTICAL WITH CIRCULATED TEXT OF AGREEMENT
WITH BOLIVIA (GOV/1633). WHILE NO GOVERNOR QUARRELED WITH,
OR EVEN COMMENTED ON, SUBSTANCE OF AGREEMENTS, GROUP OF NON-PARTIES
TO NPT LED BY FRENCH AND INDIANS OBJECTED TO PROCEDURE OF BEING
ASKED TO CONSIDER AGREEMENTS FOR WHICH THEY DID NOT HAVE TEXT.
US TOOK POSITION THAT WHILE TEXTS SHOULD NORMALLY BE CIRCULATED,
SUBSTANTIVELY IDENTICAL NATURE OF THESE AGREEMENTS WITH THAT
FOR BOLIVIA MADE IT POSSIBLE FOR BOARD TO APPROVE THEM; UK
AND USSR TOOK SAME POSITION. AFTER EXTENSIVE DEBATE AND CONSULTA-
TIONS TO RESOLVE PROCEDURAL MUDDLE, CONSENSUS WAS REACHED TO
APPROVE AGREEMENT WITH BOLIVIA, AND TO PROVISIONALLY APPROVE
THOSE WITH HAITI AND NICARAGUA

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INFO OCT-01 ARA-16 ISO-00 OIC-04 SS-15 ACDA-19 CIAE-00

INR-10 L-03 NSAE-00 NSC-10 RSC-01 SCI-06 SCEM-02

AF-10 EA-11 EUR-25 NEA-10 PM-07 DODE-00 DRC-01 PA-03

PRS-01 USIA-15 SAJ-01 MBFR-04 /189 W
---------- 079854
R 271500Z SEP 73
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TO SECSTATE WASHDC 3454
INFO AEC GERMANTOWN
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SUBJECT TO: A) ASSURANCE FROM SECRETARIAT THAT THEY ARE
SUBSTANTIVELY IDENTICAL WITH THAT FOR BOLIVIA; (B) CIRCULATION
OF FULL TEXTS ASAP, AND (C) FOUR-WEEK WAITING PERIOD FOR GOVERNORS
TO SUBMIT OBJECTIONS, IF ANY, TO SUBSTANCE OF AGREEMENTS TO
DG. IF NONE RECEIVED, AGREEMENTS WILL BE CONSIDERED APPROVED
AND DG MAY PROCEED TO SIGN THEM.

9. COMMENT: WRANGLING SEEMED COMPOUNDED OF EQUAL PARTS:
(A) EVERYBODY WAS TIRED ANS SNAPPISH FROM WEEK OF GC;

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(B) SECRETARIAT SUBMITTED MEMOS ON EXTREMELY SHORT NOTICE WITHOUT FULL TEXTS OF AGREEMENTS AND DID NOT MAKE ADEQUATE ADVANCE EXPLANATION OF SITUATION; AND (C) GROUP OF NON-PARTIES TO NPT, ESPECIALLY FRANCE, TENDS TO BE READY TO GRAB AT ANY PROCEDURAL LAPSE TO STALL CONSIDERATION OF NPT-RELATED MATTERS. THERE WERE NO PROBLEMS WITH SUBSTANCE AND MISSION KNOWS OF NO LINELY OBJECTIONS WITHIN FOUR-WEEK WAITING PERIOD, BUT BOARD WAS DEFINITELY NOT IN BEST FORM. BELIEVE SECRETARIAT ALSO LEARNED LESSON AND IS NOT RPT NOT LIKELY TO TRY AND RUSH THROUGH SAFEGUARDS AGREEMENTS AGAIN. END COMMENT.

10. AFTER COMPLETION OF ACTION, FRG SUGGESTED THAT SINCE AT LEAST 39 NNWS NPT PARTIES HAD YET TO PRESENT AGREEMENTS TO BOARD
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FOR APPROVAL, IT WOULD EXPEDITE BOARD ACTION, SIMPLIFY ITS PRODECURES, AND SAVE CONSIDERABLE MONEY IN REPRODUCTION AND DISTRIBUTION OF 30-PAGE AGREEMENTS TEXTS, IF SECRETARIAT COULD CIRCULATE TO GOVERNORS TYPICAL TEXTS OF AGREEMENTS WITH FOLLOWING THREE TYPES OF STATES: (A) AGENCY MEMBER WITH SIGNIFICANT NUCLEAR ACTIVITIES; (B) AGENCY MEMBER WITH NO MATERIAL TO BE SAFEGUARDED; (C) NON-MEMBERS OF AGENCY. BOARD CONSIDERATION COULD THEN FOCUS ON ANY DIFFERENCE FROM STANDARD TEXTS, WHICH WOULD BE SPECIFIED IN MEMORANDUM CIRCULATED BY SECRETARIAT. HE REQUESTED DG REFLECT ON THIS AND SUBMIT HIS VIEWS TO NEXT BOARD MEETING. COMMENT: MISSION FEELS THAT THIS IS EXCELLENT IDEA, AT LEAST FOR ROUTINE TYPE AGREEMENTS WITH STATES HAVING NO MATERIAL REQUIRING SAFEGUARDS, IF OTHER GOVERNORS WOULD BUY IT, AND WOULD APPRECIATE ANY VIEWS ON SUBJECT WHICH DEPT. MAY HAVE. END COMMENT.

1. AGENDA ITEM 4 - FUTURE MEETINGS: UK AND COSTA RICA EXPRESSED APPRECIATION TO SECRETARIAT FOR FACT THAT THIS YEAR'S CALENDAR CONTAINS NO CONFLICTS WITH MEETING OF UNIDO, TO WHICH MOST MISSIONS ARE ALSO ACCREDITED. INDIA SUGGESTED THAT FEB BOARD AGENDA SHOULD INCLUDE ITEM RELATING TO DG'S STATEMENT TO 17TH GC PLENARY, TO GIVE GOVERNORS OPPORTUNITY TO DISCUSS AND RESPOND TO POINTS MADE THEREIN; UK CONCURRED. USSR, FRANCE AND US OBSERVED THAT DISCUSSION COULD GROW SO BROAD AND DIFFUSE AS TO BE POINTLESS AND SUGGESTED INSTEAD THAT DG PRESENT VIEWS AND RECOMMENDATIONS ON SPECIFIC POINTS FROM HIS STATEMENT FOR MORE FOCUSED DISCUSSION. US WENT ON TO OBSERVE THAT BOARD'S A&B AND TA COMMITTEES AND JUNE BOARD MEETING ARE BEST FORA FOR DISCUSSION OF DG'S POLICY RECOMMENDATIONS. DG MADE SAME POINT, AND SAID THAT MANY SUGGESTIONS AND OBSERVATIONS FROM HIS STATEMENT TO GC WOULD BE EMBODIED IN UPDATING OF PROGRAM FOR 1975-80 AND BUDGET FOR 1975 WHICH WOULD BE PRESENTED TO A&B COMMITTEE, AND HE EXPECTED DISCUSSION OF THEM AT THAT TIME. WITH UNDERSTANDING THAT DG WOULD CONSIDER GOVERNORS' REMARKS WITH REGARD TO HIS GC STATEMENT, BOARD APPROVED CALENDAR OF MEETINGS BY CONSENSUS

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# Message Attributes

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